

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
JAN 25 2012
PATRICK E. DUFFY CLERK
BY Deputy Clerk

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDUARDO JOAQUIN SAN
MIGUEL-ESPINOZA,

Defendant.

CR 11-109-BLG-RFC-CSO

FINDINGS AND
RECOMMENDATIONS
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to Count I of the Indictment.

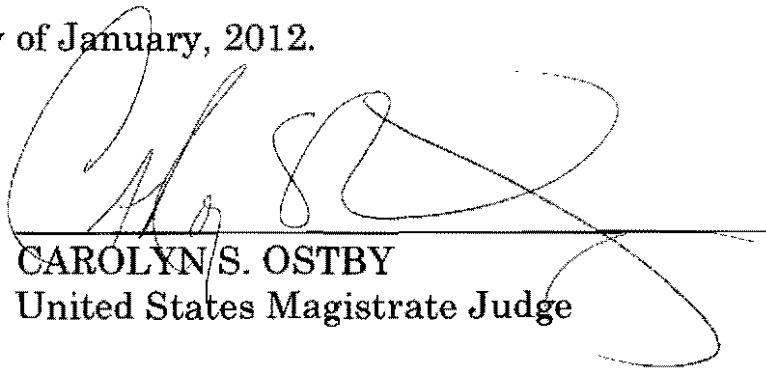
After examining the Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a guilty plea was entered contained each of the essential elements of the offense. There was no plea agreement.

I recommend that the Defendant be adjudged guilty and that

sentence be imposed. Defendant has waived preparation of a presentence report. Should the Court accept this recommendation, sentencing will be set by Chief Judge Cebull.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 25TH day of January, 2012.



CAROLYN S. OSTBY
United States Magistrate Judge